

Remarks

Claims 1-25 are pending in this application. The examiner has required an election of species to a single disclosed species for prosecution on the merits. According to the examiner, the election is required because the claims encompassing oral dosage forms and the process of preparing them are generic.

Applicants provisionally elect the following species to be used for examination purposes:

Sayer { polyethylene glycols of claim 16;
hydroxypropyl cellulose of claim 14;
analgesics of claim 20;
vitamins of claim 25.

The claims that read on the selected species include claims 1, 14, 16, 17, 20 and 25. Applicants wish to note that these compositions in and of themselves are not the claimed subject matter of the applicant, but the species are part of a process of making the dosage form or are constituents of the claimed dosage form, respectively. The restriction requirement is not traversed and applicants understand that upon the allowance of a generic claim, the applicant will be entitled to consideration of claims to additional species. Favorable action is solicited.

KOLTER et al.

Serial No. 09/873,431

To the extent necessary, applicant(s) petition for an Extension of Time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,
KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read 'HB Keil', written in a cursive style.

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